

**DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:02-CR-182**

UNITED STATES OF AMERICA

v.

TORRAN LEEHAN PHILLIPS (2)

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ORDER

THIS MATTER IS BEFORE THE COURT subsequent to the recent order vacating the Court's prior granting the defendant's motion for a reduction of sentence. Parties have fully briefed the matter. The Court concludes that Mr. Phillips' record is no worse than numerous other defendants who will be receiving the benefit of a sentence reduction. His prison record reflects very minor infractions (including going through the chow line twice). In short, nothing persuades the Court that the original determination to amend his sentence to time served plus 10 days was incorrect.

The Court therefore reinstates the previous Order [doc. 183] GRANTING the Motion to Reduce Sentence and directs the Clerk to send a copy of same to the United States Marshals Service and the Bureau of Prisons immediately.

SO ORDERED.

Signed: May 13, 2008



Graham C. Mullen
United States District Judge

